

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SALVADOR BELTRAN, JR. and
ELI GROSS,
*Individually and on behalf of all others
similarly situated,*

Plaintiffs,

v.

SONY PICTURES ENTERTAINMENT,
INC.,
d/b/a CRUNCHYROLL

Defendant.

Case No: 1:22-cv-04858

Judge: Sara L. Ellis

JURY TRIAL REQUESTED

**PLAINTIFFS' CONSENT MOTION FOR LEAVE TO
FILE THIRD AMENDED COMPLAINT**

Pursuant to FED. R. CIV. P. 15(a)(2), Plaintiffs Salvador Beltran, Jr. and Eli Gross, by and through their counsel, respectfully moves this Court for leave to file a Third Amended Class Action Complaint. In support of this motion, Plaintiffs state as follows:

1. Pursuant to the Federal Rule of Civil Procedure 15(a)(2), “a party may amend its pleading only with the opposing party’s written consent or the Court’s leave. The Court should freely give leave when justice so requires.” FED. R. CIV. P. 15(a)(2).

2. Plaintiff Lisa Cuevas filed the initial Class Action Complaint in this matter on September 8, 2022, and sought leave to file a First Amended Complaint, which substituted Defendant Sony Pictures Entertainment, Inc. as the operative Defendant in this matter.

3. On October 20, 2022, the Court granted Plaintiff’s motion for leave, and on October 27, 2022 Plaintiff filed her First Amended Complaint.

4. Thereafter, Defendant's counsel entered appearances, a waiver of service was executed, and the Parties entered into a briefing schedule for Defendant to file a motion to dismiss.

5. Plaintiff then filed leave to amend to substitute two new Plaintiff representatives – Salvador Beltran, Jr. and Eli Gross – as the named plaintiffs and putative class representatives in this matter.

6. After Plaintiff's Motion for Leave to File Second Amended Complaint was granted, a Second Amended Class Action Complaint was filed on February 7, 2023, naming Salvador Beltran, Jr. and Eli Gross as named Plaintiffs.

7. Through further investigation, it has been discovered that Parties wish to amend the Third Amended Complaint based on information learned about the technology at issue.

8. Defendant has consented to this motion in writing via email to Plaintiffs' counsel.

9. Defendant reserves its rights to oppose, object to, and move to dismiss or to strike the proposed Third Amended Complaint, or portions thereof, including with respect to the sufficiency of standing or any claims to be brought by the named plaintiffs.

10. As such, for the foregoing reasons, Plaintiffs respectfully requests this Court grant this motion and allow Plaintiffs leave to file the proposed Third Amended Complaint attached hereto as Exhibit A.

Dated: August 21, 2023

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was filed with the Clerk of the Court using the CM/ECF system, which will provide notice and allow access to all counsel of record.

/s/ Brandon M. Wise